Ian Holyoake – submitter

**Part A for 1 April 2025 presentation**

**Taken as read.**

Recommended changes by submitter Ian Holyoake to S42A Strikethrough as dated 14 October 2024

Black, blue and red words are various changes made in s42a preparation by WRC.

**Words in Green Bold are my comments and requests for further consideration before these are finalised.**

**I understand this is my last opportunity to seek changes to the s42a draft dated 14 October 2024. I can answer questions on these if required. This paper is to be considered as read for my 1 April 2025 presentation.**

**Items: starting from page 116 of the s42a draft dated 14 October 2024**

Proposed Waikato Regional Coastal Plan | Te Mahere Takutai Moana ā-Rohe o Waikato e Marohitia Nei

14 October 2024

# 10 DD – Disturbances and deposition | Whakararutanga me ngā waipara

**General Standards and Terms for activities in the DD – Disturbances and deposition chapter**

**DD-R1, DD-R2, DD-R3, DD-R4, DD-R4A, DD-R9A, DD-14,** **DD-R15, DD-R16, DD-R17, DD-R20** and **DD-R21**

2. The activity does not ~~take place in, or~~ ~~involve disturbance,~~result in damage or destruction ~~in~~of ~~shellfish beds,~~ areas vegetated by mangroves, seagrass or saltmarsh, ~~or~~ bird ~~foraging~~ roosting and nesting areas ~~during nesting season~~

**COMMENT: Remove “Mangroves” from this item.**

**What we are trying to achieve is reversing the adverse effects uncontrolled depositions have unintentionally caused. We MUST seek to return the rivers, estuaries, harbours, all waterways, river mouths and coast to a sustainable balanced ecosystem of free flowing water that supports all life forms dependant on water. I single out removing the word “Mangrove” because this is a ‘backdoor way to retain protections where this plant is an invader’ that in certain places is causing irrefutable damage to our waterways. Including this vegetation by name allows ongoing disputes and arguments that cause delays in attempts at improving water quality and management of depositions. These arguments inevitably lead to unnecessary court actions and appeals.**

9. Any material to be deposited does not contain any contaminants (other than those naturally occurring in the material to be deposited), marine pests or harmful aquatic organisms

**COMMENT: Organic sludge has become a naturally occurring material only because deposition in the wrong places supports uncontrolled vegetation. This sludge is either removed by man or in flood events if allowed to become suspended and flow out with the tide?**

**DD-R10 Disturbance and r~~R~~emoval of sand, shell, shingle or other material not within outstanding natural character or significant indigenous biodiversity areas**

Item 5:

Removal, damage, modification or destruction of indigenous vegetation that is growing in the foreshore or seabed, provided any ECO rules are met.

**COMMENT: Indigenous or not if the vegetation is causing harm to the ecosystem and land use by humans and life forms it MUST BE REMOVED, not supported by protectionisms.**

**It is these small wrongly placed words that become the contestable arguments in hearings and appeals.**

**DD-R14 Removal of sediment from the mouth of waterways**

**Activity status: PER**

Removal of sand, shell, shingle or other natural material from the mouth of waterways which empty into the CMA, or to unblock the mouth of waterways, and associated vehicle use and any ancillary vegetation removal, outside a SIBA-A.

7 Any vegetation removal is no more than 20m2 and ancillary to the main activity.

**COMMENT: The limitation to 20m2 of vegetation removal is wrong. Limitations like this act to restrict, hamper and stop adequate steps to reverse the last 70 years of neglect. The only limitation that is fair to the environment is restore what nature provided before European settlement. For example, many waterways that need clearing need 1000 times this amount. No figure is acceptable except returning pre-European configuration.**

**DD-R15 Local authority stream mouth clearance for ~~flood protection or ecological restoration~~ specified purposes**

* Activity status: PER

Removal of sand, shell, shingle or other natural material, ~~and~~ associated vehicle use and any ancillary vegetation removal, by a local authority to unblock the mouth of waterways.

2a prevent or minimise erosion and flood hazard risk **COMMENT: AGREED**

 3 The activity will not:

* 1. divert any part of the river or stream to a new course, unless to allow for river or stream realignment to protect ecological habitat or adjoining land

7 Any vegetation removal must be no more than 20m2 and ancillary to the main activity.

**COMMENT: See DD-R14 above limitation of 20m2 unacceptable**

**DD-R16 ~~Disturbance and removal to maintain~~Maintenance of existing drainage channel outlets, flood gate outlets and stopbanks**

**COMMENT: Remove the word EXISTING because this is not plausible as new land development and higher intensity urban development will be requiring new channel outlets.**

**Activity status: PER**

Disturbance and removal of sand, shell, shingle or other natural material within the coastal marine area by a local authority to maintain existing drainage channel outlets, flood gate outlets and stopbanks to service ~~designated drainage districts, drainage schemes,~~ river or flood protection schemes administered by local authorities, including channel clearance, associated vehicle use and any ancillary vegetation removal.

1. The disturbance only takes place in an existing drainage channel outlet, flood gate outlet or borrowpit and is limited to a 20-metre-wide strip on one side of a borrowpit and the same on both sides of a ~~the~~ drainage canal outlet or flood gate outlet ~~or borrowpit~~[[1]](#footnote-1)

**COMMENT: Whilst a 20 meter wide strip seems generous this is the wrong approach as tidal and flood patterns find these ‘channels’ and cause significant back tides rising above flood protection mechanisms. The outfall so to speak must be engineered to meet expected flood and tidal patterns – not a limitation.**

**DD-R17 Maintenance dredging**

**Activity status: CON**

Maintenance dredging ~~and associated vehicle use~~, involving the removal of sand, shingle, shell or other natural material from the foreshore or seabed to another location either within or outside[[2]](#footnote-2) the coastal marine area, and any associated vehicle use and ancillary vegetation removal.

**COMMENT: See DD-R14 above limitation of 20m2 unacceptable**

**DD-R18 Removal of sediment from the mouth of waterways**

**Activity status: DIS**

Removal of sediment from the mouth of waterways that empty into the coastal marine area that does not comply with DD-14 or DD-15, and any associated vehicle use and ancillary vegetation removal.

**COMMENT: See DD-R14 not consistent but better to have no limitation than any limitation on vegetation removal.**

Where:

1. The removal is necessary to reduce or minimise flood hazard risk coastal erosion risk,[[3]](#footnote-3) or to allow for fish migration
2. The activity does not remove any sand, shingle, shell or other natural marine material except where it is used to replenish dunes within 500m of the waterway mouth and the material extracted matches the type and grain size of the destination dune

**COMMENT: placing a limitation of 500m is not useful for ‘naturally formed beaches’ like Whangamata created over thousands of years where waterway discharges have impacted dunes and beaches for kilometres. Restricting type of grain size is not practical as normally dunes are formed by blow-ups of light small grains of dry sand. Separating sand into grain size is not realistic. Rocks not allowed.**

**DD-R19 Disturbance activity not otherwise provided for**

**Activity status: NC**

Disturbance or removal of sand, shingle, shell or other natural material ~~that is~~ not otherwise provided for ~~in DD-R15 to DD-R18~~.[[4]](#footnote-4)

**COMMENT: Having this class as non-complying activities allows experts to argue points that obstruct the intended purpose of the CMP. It is noted Forest and Bird have sought this. What purpose does this serve?**

**DD-R20 Disturbance ~~D~~deposition, disposal or dumping**[[5]](#footnote-5) **of small quantities of natural material**

**Activity status: PER**

Disturbance,~~s and~~ deposition, disposal or dumping[[6]](#footnote-6) of sand, shell, shingle or natural material in, on or under the foreshore or seabed, in quantities of less than 100m3 in any 12-month period.

**COMMENT: Dumping has a natural meaning under the Reserves Act – to cause harm to the environment and/or prevent the enjoyment of the area. This word must be removed and elaborated on as the purpose of the disposal may in fact be to create a mound that appears to be a ‘dump’ but is not.**

**COMMENT: The limitation of 100m3 is not practical as it must again relate to the environment that is being changed with deposition by way of disposal. Some areas need more and should be granted PER status.**

Where:

The activity complies with the General Standards and Terms for activities in the DD - Disturbances and deposition chapter.

**DD-R22 Deposition, disposal or dumping**[[7]](#footnote-7) **of ~~sand, shingle, shell or other~~ natural material**

**Activity status: DIS**

Deposition, disposal or dumping[[8]](#footnote-8) of sand, shingle, shell or other natural material onto the foreshore and seabed, ~~in any 12 month period~~ not otherwise ~~permitted~~provided for[[9]](#footnote-9).

**COMMENT: Discretionary activity now has no limitations. Need consistency.**

**DD-R23 Deposition, disposal or dumping**[[10]](#footnote-10) **of natural material**

**Activity status: NC**

Deposition, disposal or dumping[[11]](#footnote-11) of sand, shingle, shell or other natural material onto the foreshore and seabed that is not otherwise provided for.

**COMMENT: Now non-complying? Difficult to understand. Allows loop holes to be exploited.**

1. 8.031 Waikato Regional Council [↑](#footnote-ref-1)
2. 93.36 Whitianga Marina Society Incorporated [↑](#footnote-ref-2)
3. 15.30 Thames-Coromandel District Council [↑](#footnote-ref-3)
4. 99.127 Royal Forest and Bird Protection Society of New Zealand Inc [↑](#footnote-ref-4)
5. 45.25 Taranaki Offshore Partnership and 47.11 Waka Kotahi NZ Transport Agency [↑](#footnote-ref-5)
6. 106.089 The Minister of Conservation [↑](#footnote-ref-6)
7. 106.089 The Minister of Conservation [↑](#footnote-ref-7)
8. 106.089 The Minister of Conservation [↑](#footnote-ref-8)
9. 8.037 Waikato Regional Council [↑](#footnote-ref-9)
10. 106.089 The Minister of Conservation [↑](#footnote-ref-10)
11. 106.089 The Minister of Conservation [↑](#footnote-ref-11)